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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,234	06/26/2003	Toshimitsu Kawase	03500.017353	4223

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EXAMINER

RIELLEY, ELIZABETH A

ART UNIT PAPER NUMBER

2879

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,234

Applicant(s)

KAWASE, TOSHIMITSU

Examiner

Elizabeth A. Rielley

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4 and 29-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3,4 and 29-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment filed 7/17/06 has been entered and considered by the Examiner. Claims 1, 2, and 5-26 have been canceled. Claims 29-38 have been added. Currently, claims 3, 4, and 27-38 are pending in the instant application.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/17/06 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 4, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones (US 6218777) in view of Anandan et al (US 5343115).

In regard to claims 3, 30, 35, and 36, Jones ('777) teaches an image display apparatus (figure 2) comprising; a hermetic container (see figure 2; column 1 lines 57-65) including, as constructive members, a first substrate (110; column 1 lines 36-37) and a second substrate opposite to each other (310; see figure 2; column 1 line 42), with an electrode having a specific electric potential (320; column 1 lines 13-15), and an external frame (212; column 4 lines 21-23) disposed between said first substrate and said second substrate (see figure 2); image display means and wiring for displaying (320; column 1 lines 13-15; column 1 lines 50-56, a wire is a type of conductive element) disposed within said hermetic container (see figure 2); a conductive bonding member (250; column 4 lines 26-37) for sealing said first substrate (110) and said external frame (212, via 214 and 230; column 4 lines 39-49 specifically), and a frit (230; column 1 lines 46-47) that separates the conductive bonding member from the wiring for displaying (see figure 2). Jones ('777) is silent regarding the limitations of the bonding member extending from a sealing area between said first substrate and said external frame to said electrode to be in contact with said electrode.

In the same field of endeavor, Anandan et al ('115) teach an image display apparatus (figure 3) wherein a conductive bonding member (11-20; column 4 lines 3-14; column 7 lines 8-19) extending from a sealing area between said first substrate (2) and an external frame (4'; column 4 lines 48-55) to an electrode (21-30) to be in contact with said electrode (column 4 lines 3-14) in order to electrically connect the electrodes to the conductive bonding member under the sealing area (column 4 lines 3-14). Hence, it would have been obvious at the time of the invention to one of ordinary skill in the art to incorporate the electrode structure of Anandan with the image display device of Jones. Motivation to combine would be to electrically connect the electrodes to the conductive bonding member under the sealing area.

In the same field of endeavor, Anandan et al ('115) continues to teach a conductive bonding member (11-20; column 4 lines 3-14) extends from a sealing area (4') onto the substrates outwardly of the hermetic container (see figure 2) in order to form lead through conductors for the image display device (column 4 lines 3-35) Hence, it would have been obvious at the time of the invention to one of ordinary skill in the art to incorporate the conductive bonding member structure of Anandan with the image display device of Jones. Motivation to combine would be to form lead through conductors for the image display device.

In regard to claims 4, 29, 31, 32, 37, and 38, Anandan et al ('115) continues to teach the conductive bonding member (11-20) extends from a sealing area (4') between the first substrate (2) and an external frame (4') to be in contact with an electrode (21-30; see figure 2; column 4 lines 3-14), outwardly and inwardly (figure 1; 6 is a conductive bonding member, see column 3 lines 45-46 and column 7 lines 12-16; 6 extends inwardly and outwardly, see figure 1) of the hermetic container (100; see figure 1). One skilled in the art would reasonably contemplate modifying the device of Jones et al ('777) to include the claimed conductive bonding orientation, as an obvious matter of design engineering as evidenced by Anandan et al ('115). Applicant's claimed material does not provide unexpected results that are not within the teaching applied, since both bonding member orientation disclosed in Jones et al ('777) and Anandan et al ('115) as well as the bonding member orientation disclose by the Applicant perform the same function of sealing the device with an electrically conductive material. Thus, it would have been obvious at the time of the invention to one of ordinary skill in the art to incorporate the configuration for the electrically conductive sealing material as taught by Anandan et al ('115) with the image display device of Jones et al ('777). Motivation to combine would be to seal the device with an electrically conductive material.

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In regard to claims 27, 28, 33, and 34, Jones et al ('777) teach the electric potential of the conductive bonding member is specified at a constant, ground level (column 2 lines 3-32; column 4 lines 26-32; Jones teaches that the conductive bonding member 250 is used to shunt flashover arcs, but also teaches that the flashover arcs are created when the gas pressure is high enough for a Paschen breakdown. Therefore, when there are no flashover arcs, no voltage is conducted through the bonding member 250; therefore the electric potential is at a constant ground level when there are no flashover arcs in the device).

Response to Arguments

Applicant's arguments with respect to claims 3, 4, and 27-29 have been considered but are moot in view of the new ground(s) of rejection.

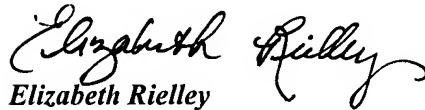
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth A. Rielley whose telephone number is 571-272-2117. The examiner can normally be reached on Monday - Friday 7:30 - 4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Elizabeth Rielley

Examiner
Art Unit 2879


MARICELI SANTIAGO
PRIMARY EXAMINER